

Introduced by Senator Ducheny

February 17, 2005

An act to repeal and add Chapter 11 (commencing with Section 66900) of Part 40 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 445, as introduced, Ducheny. Commission on Statewide Postsecondary Education Policy and Planning

Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education coordinating and planning agency and provides for its functions and responsibilities.

This bill would repeal existing law providing for that commission and its functions and responsibilities. The bill would enact new provisions establishing the California Commission on Statewide Postsecondary Education Policy and Planning with prescribed membership and duties. The bill would require the new commission to develop and regularly assess a statewide public agenda for higher education, subject to prescribed policy goals. The commission would be empowered to participate in the executive and legislative budget processes in an advisory capacity and would have specified functions and duties as the statewide higher education policy and planning agency. Members of the new commission would receive per diem compensation of \$50 for each day of attendance at meetings of the commission, its committees, and subcommittees, plus actual and necessary travel expenses incurred in the course of the member's duties.

The bill would also establish an advisory committee to the commission with prescribed membership representing public higher

education and the Association of Independent California Colleges and Universities. The bill would provide for establishment of a transition team to maintain data and databases of the existing California Postsecondary Education Commission and to facilitate migration of functions to the California Commission on Statewide Postsecondary Education Policy and Planning, which the bill would require to be complete by December 16, 2006.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 11 (commencing with Section 66900)
2 of Part 40 of the Education Code is repealed.

3 SEC. 2. Chapter 11 (commencing with Section 66900) is
4 added to Part 40 of the Education Code, to read:

5 66900. (a) It is the intent of the Legislature that the California
6 Commission on Statewide Postsecondary Education Policy and
7 Planning be established for the purpose of representing the public
8 interest in expanding educational opportunities for all
9 Californians continuing their education beyond high school. The
10 commission shall be responsible for articulating a statewide
11 policy agenda for higher education, assessing the state's progress
12 in meeting this agenda, and advising the Legislature, the
13 Governor, the segments of higher education, and state
14 policymakers regarding state priorities dictated by current trends
15 and evolving needs. The commission shall also coordinate policy
16 efforts among each of the segments of higher education for the
17 purpose of advancing the state policy agenda for higher
18 education.

19 66901. (a) The California Commission on Statewide
20 Postsecondary Education Policy and Planning is hereby created.

21 (b) The commission shall be composed of the following
22 members:

23 (1) Nine representatives of the general public, of which three
24 shall be appointed by the Governor, three by the Senate
25 Committee on Rules, and three by the Speaker of the Assembly.
26 It is the intent of the Legislature that the public members shall be
27 broadly and equitably representative of the general public.

1 (2) The chair and vice chair of the advisory committee to the
2 commission and the executive director appointed pursuant to
3 Section 66903.

4 (3) Two student representatives, each of whom shall be
5 enrolled at a California postsecondary education institution at the
6 time of appointment and while members of the commission,
7 except that a student member who graduates from an institution
8 may remain as a member of the commission up to an additional
9 six months. The Governor shall appoint the student members
10 from persons nominated by the appropriate student organizations
11 of each of the postsecondary education segments. For each
12 student member of the commission, the appropriate student
13 organization may submit a list of nominees. The appropriate
14 student organization for each postsecondary education segment
15 shall be a composite group of at least five representative student
16 government associations, as may be determined by the
17 commission from time to time. The student member appointed to
18 the commission shall not be enrolled in the same education
19 segment as the outgoing student member or the same
20 postsecondary education segment of the other sitting student
21 member.

22 (4) The president of the State Board of Education or his or her
23 designee from among the other members of the board.

24 66902. Each member of the commission shall receive per diem
25 compensation of fifty dollars (\$50) for each day in which he or
26 she attends any meeting of the commission or any meeting of any
27 committee or subcommittee of the commission of which he or
28 she is a member and that is conducted for the purpose of carrying
29 out the functions of the commission. Members of the commission
30 shall, in addition, be entitled to actual and necessary traveling
31 expenses incurred in the course of their official duties.

32 66903. For assistance in the conduct of its business, the
33 commission shall employ an administrative officer, who shall be
34 known as an Executive Director of the California Commission on
35 Statewide Postsecondary Education Policy and Planning. The
36 executive officer shall be appointed by the commission, subject
37 to confirmation by two-thirds of the membership of the Senate.
38 The executive director shall appoint persons to any staff positions
39 the commission may authorize,

66904. There is established an advisory committee to the commission and the executive director, for the purpose of providing institutional perspectives that combine to offer guidance in the development of a statewide agenda for higher education. The advisory committee shall consist of the chief executive officer of each of the public segments, or his or her designee, and an executive officer from the Association of Independent California Colleges and Universities. There shall be a revolving chair and vice chair selected every two years by members of the advisory committee, permitting each segment to be represented on the commission on a rotating basis. Commission meeting agenda items and associated documents shall be provided to the committee in a timely manner for its consideration and comments.

66905. (a) The commission shall serve the public interest by developing and maintaining a statewide policy agenda for higher education. The commission shall develop a statewide public agenda for higher education that extends beyond the individual boundaries of each segment of higher education. The commission shall regularly assess the state's progress in accomplishing the goals of the statewide policy agenda.

(b) The statewide public policy goals for higher education include the following:

(1) Educational opportunity: all Californians should have reasonable and equal opportunities to attain a higher education at an affordable cost.

(2) Participation: California higher education should serve its large and diverse population, reflecting the state's overall demographics.

(3) Student success: California higher education institutions should prepare students for informed, thoughtful civic lives, meaningful pursuits, and economic success.

(4) Public benefits: California higher education should benefit the state and its people by fostering civic participation, social awareness, and support of the state's economy.

(c) The commission may participate in appropriate stages of the executive and legislative budget processes. In this capacity, the commission shall advise the executive and legislative branches of state government on the policy implications of

1 pending budget proposals with respect to how they advance the
2 statewide higher education policy agenda.

3 66906. The commission has the following functions and
4 responsibilities in its capacity as the statewide higher education
5 policy and planning agency and advisor to the Legislature and
6 the Governor:

7 (a) The commission shall provide leadership in developing the
8 public policy agenda for higher education and advising state
9 policymakers on the state's progress in meeting this agenda. The
10 agenda shall recognize the diverse and changing population
11 within California. The commission's primary focus is the public
12 interest while working with the Legislature, the Governor, and
13 the segments of higher education in meeting this responsibility.

14 (b) The commission shall establish and maintain a statewide
15 higher education accountability structure that provides the basis
16 for an annual assessment of the progress made in meeting the
17 state's public policy agenda and goals for higher education.

18 (c) The commission shall act as clearinghouse for
19 postsecondary education information and as a primary source of
20 information for the Legislature, Governor, and agencies of state
21 government. It shall develop and maintain a comprehensive data
22 base that does all the following:

23 (1) Ensures comparability of data from diverse sources,
24 including each of the public two-year institutions, and the public
25 and private four-year postsecondary education institutions.

26 (2) Maintains a longitudinal student tracking capability that
27 follows individual students as they progress through the state's
28 postsecondary education institutions. This tracking system shall
29 build upon the commission's student database through the use of
30 a unique student identifier, be compatible with the California
31 School Information System, and be compatible with the student
32 information systems developed by each of the segments of
33 postsecondary education, as appropriate.

34 (d) The commission, in implementing subdivision (c), shall
35 comply with the federal Family Educational Rights and Privacy
36 Act of 1974 (20 U.S.C. Sec. 1232g) relating to the disclosure of
37 personally identifiable information concerning students.

38 (e) The commission shall conduct focused research in limited
39 instances that warrant the need to further understand trends that
40 emerge from the higher education accountability structure.

1 (f) The commission shall review all proposals for changes in
2 eligibility pools for admission to public institutions and segments
3 of postsecondary education and shall make recommendations to
4 the Legislature, the Governor, and the institutions of
5 postsecondary education. In carrying out this subdivision, the
6 commission periodically shall conduct a study of percentages of
7 California public high school graduates estimated to be eligible
8 for admission to the University of California and the California
9 State University.

10 (g) The commission shall administer federal programs in
11 compliance with the appropriate provisions of the federal
12 Education Amendments of 1972 (P.L. 92-318), as specified in
13 Section 67000.

14 66907. The commission shall prescribe rules for the transaction
15 of its business, subject to all of the following requirements and
16 limitations:

17 (a) The individual votes of all members of the commission
18 shall be recorded.

19 (b) Any action of the commission as a body shall require the
20 affirmative vote of a majority of the commission membership not
21 including vacancies.

22 (c) An affirmative vote of two-thirds of the commission
23 membership, not including vacancies, shall be required for
24 appointment of the commission's executive director.

25 66915. Implementation of this chapter shall commence on
26 January 1, 2006, and shall be fully implemented on or before
27 December 16, 2006. Beginning January 1, 2006, a transition team
28 shall be established to maintain the existing database of the
29 California Postsecondary Education Commission and to facilitate
30 the transition from the California Postsecondary Education
31 Commission to the California Commission on Statewide
32 Postsecondary Education Policy and Planning.